

**2017-013929**

**Klamath County, Oregon**

**12/07/2017 08:35:00 AM**

**Fee: \$57.00**

**After recording return to:  
Robinson Tait, P.S.  
901 Fifth Avenue, Suite 400  
Seattle, WA 98164**

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TS Number: 60415-00308-NJ-OR

**NOTICE OF DEFAULT AND ELECTION TO SELL**

Reference is made to that certain trust deed made by John Francis Leahy, a married person, as grantor, to Chicago Title Company/Fidelity National Title Company as trustee, in favor of Bank of America, N.A. as beneficiary, dated July 10, 2006, recorded August 23, 2006, in the mortgage records of Klamath County, Oregon, as Document No. 2006-016960, and assigned to Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Hilldale Trust by assignment recorded on September 16, 2016 in the records of Klamath County, Oregon, as Document No. 2016-009842, covering the following described real property situated in said county and state, to wit:

**LOT 7, BLOCK 15, MERRILL, ACCORDING TO THE OFFICIAL PLAT THEREOF ON  
FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.**

**PROPERTY ADDRESS: 329 N Madison Street, Merrill, OR 97633**

The current trustee is Robinson Tait, P.S., 901 Fifth Avenue, Suite 400, Seattle, WA 98164, telephone number (206) 676-9640 or toll free at 1 (855) 676-9640.

There is a default by the grantor or other person owing an obligation or by their successor in interest, the performance of which is secured by said trust deed, or by their successor in interest, with respect to provisions therein which authorize sale in the event of default of such provision. The default for which foreclosure is made is grantors' failure to pay when due the following sums: monthly payments totaling \$5,268.60 beginning July 25, 2015 to December 27, 2017; plus advances of \$3,848.46; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described real property and its interest therein; and prepayment penalties/premiums, if applicable.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said trust deed immediately due and payable, said sums being the following, to wit: \$72,195.17 with interest thereon at the rate of 4.24000 percent per annum beginning June 25, 2015 to December 27,

2017; plus advances of \$4,608.74; plus other fees and costs in the amount of \$3,848.46; together with title expense, costs, trustee's fees and attorney's fees incurred herein by reason of said default; any further sums advanced by the beneficiary for the protection of the above described property and its interest therein; and prepayment penalties/premiums, if applicable.

Notice is hereby given that the beneficiary and trustee, by reason of said default, have elected and do hereby elect to foreclose the trust deed by advertisement and sale pursuant to ORS 86.705 to 86.795, and to cause to be sold at public auction to the highest bidder for cash the interest in the described property which the grantor had, or had the power to convey, at the time grantor executed the trust deed, together with any interest the grantor or grantor's successors in interest acquired after the execution of the trust deed, to satisfy the obligations secured by the trust deed and the expenses of the sale, including the compensations of the trustee as provided by law, and reasonable fees of trustee's attorneys.

The sale will be held at the hour of 10:00 AM, in accord with the standard time established by ORS 187.110 on April 27, 2018, at the following place: Klamath County Courthouse Front Entrance, 316 Main Street, Klamath Falls, OR 97601, which is the hour, date and place last set for the sale.

Notice is further given that any person named in ORS 86.778 has the right, at any time that is not later than five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the trust deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principle as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or trust deed, and in addition to paying those sums or tendering the performance necessary to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and trust deed, together with trustee and attorney fees not exceeding the amounts provided by ORS 86.778. Requests from persons named in ORS 86.778 for reinstatement quotes received less than six days prior to the date set for the trustee's sale will be honored only at the discretion of the beneficiary or if required by the terms of the loan documents.

In construing this notice, the singular includes the plural, the word "grantor" includes any successor in interest to the grantor as well as any other person owing an obligation, the performance of which is secured by said trust deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any, and all grammatical changes shall be made so that this instrument shall apply equally to businesses, other entities and to individuals.

DATE: December 5, 2017

Craig Peterson

Printed Name: Craig Peterson, OSB # 120365

Robinson Tait, P.S.

Authorized to sign on behalf of the trustee

State of Washington )

County of King )

The foregoing instrument was acknowledged before me this 5 day of December, 2017 by Craig Peterson, who is the authorized signer for Robinson Tait, P.S.



Melissa Stapleton

NOTARY PUBLIC in and for the State of Washington,  
residing at Kent, County of King

Melissa Stapleton  
(printed or typed name)

My appointment expires 10/19/2019

THIS COMMUNICATION IS FROM A DEBT COLLECTOR AND IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE RECEIVED A DISCHARGE OF THE DEBT REFERENCED HEREIN IN A BANKRUPTCY PROCEEDING, THIS LETTER IS NOT AN ATTEMPT TO IMPOSE PERSONAL LIABILITY UPON YOU FOR PAYMENT OF THAT DEBT. IN THE EVENT YOU HAVE RECEIVED A BANKRUPTCY DISCHARGE, ANY ACTION TO ENFORCE THE DEBT WILL BE TAKEN AGAINST THE PROPERTY ONLY.